

FIRST REGULAR SESSION

HOUSE BILL NO. 643

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MUNTZEL (Sponsor) AND JONES (50) (Co-sponsor).

1664H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 205, RSMo, by adding thereto one new section relating to a county hospital sales tax.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 205, RSMo, is amended by adding thereto one new section, to be known as section 205.207, to read as follows:

205.207. 1. The governing body of any county of the third classification without a township form of government and with more than sixteen thousand but fewer than eighteen thousand inhabitants and with a city of the third classification with more than eight thousand but fewer than nine thousand inhabitants as the county seat, that operates a hospital established under this chapter may, by resolution, abolish the property tax authorized to fund the county under this chapter and impose a sales tax on all retail sales made within the county which are subject to under chapter 144. The tax authorized in this section shall be not more than two percent, and shall be imposed solely for the purpose of funding the county hospital. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 revenue receives notification of adoption of the local sales tax. If a majority of the votes
19 cast on the question by the qualified voters voting thereon are opposed to the question, then
20 the tax shall not become effective unless and until the question is resubmitted under this
21 section to the qualified voters and such question is approved by a majority of the qualified
22 voters voting on the question.

23 3. All revenue collected under this section by the director of the department of
24 revenue on behalf of the county hospital, except for one percent for the cost of collection
25 which shall be deposited in the state's general revenue fund, shall be deposited in a special
26 trust fund, which is hereby created and shall be known as the "County Hospital Sales Tax
27 Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not
28 be deemed to be state funds, and shall not be commingled with any funds of the state. The
29 director may make refunds from the amounts in the fund and credited to the county for
30 erroneous payments and overpayments made, and may redeem dishonored checks and
31 drafts deposited to the credit of such county. Any funds in the special fund which are not
32 needed for current expenditures shall be invested in the same manner as other funds are
33 invested. Any interest and moneys earned on such investments shall be credited to the
34 fund.

35 4. The governing body of any county that has adopted the sales tax authorized in
36 this section may submit the question of repeal of the tax to the voters on any date available
37 for elections for the county. If a majority of the votes cast on the question by the qualified
38 voters voting thereon are in favor of the repeal, that repeal shall become effective on
39 December thirty-first of the calendar year in which such repeal was approved. If a
40 majority of the votes cast on the question by the qualified voters voting thereon are
41 opposed to the repeal, then the sales tax authorized in this section shall remain effective
42 until the question is resubmitted under this section to the qualified voters and the repeal
43 is approved by a majority of the qualified voters voting on the question.

44 5. Whenever the governing body of any county that has adopted the sales tax
45 authorized in this section receives a petition, signed by a number of registered voters of the
46 county equal to at least ten percent of the number of registered voters of the county voting
47 in the last gubernatorial election, calling for an election to repeal the sales tax imposed
48 under this section, the governing body shall submit to the voters of the county a proposal
49 to repeal the tax. If a majority of the votes cast on the question by the qualified voters
50 voting thereon are in favor of the repeal, the repeal shall become effective on December
51 thirty-first of the calendar year in which such repeal was approved. If a majority of the
52 votes cast on the question by the qualified voters voting thereon are opposed to the repeal,
53 then the sales tax authorized in this section shall remain effective until the question is

54 resubmitted under this section to the qualified voters and the repeal is approved by a
55 majority of the qualified voters voting on the question.

56 6. If the tax is repealed or terminated by any means, all funds remaining in the
57 special trust fund shall continue to be used solely for the designated purposes, and the
58 county shall notify the director of the department of revenue of the action at least ninety
59 days before the effective date of the repeal and the director may order retention in the trust
60 fund, for a period of one year, of two percent of the amount collected after receipt of such
61 notice to cover possible refunds or overpayment of the tax and to redeem dishonored
62 checks and drafts deposited to the credit of such accounts. After one year has elapsed after
63 the effective date of abolition of the tax in such county, the director shall remit the balance
64 in the account to the county and close the account of that county. The director shall notify
65 each county of each instance of any amount refunded or any check redeemed from receipts
66 due the county.

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